

memorandum

DATE: September 29, 2008

REPLY TO:

ATTN OF: AD-442:Aytes

SUBJECT: **SCHEDULING OF USE OR LOSE ANNUAL LEAVE**

TO: All ORO Employees

Employees and supervisors are reminded that the leave year ends on January 3, 2009, and you should assure that excess annual leave is planned, scheduled, and approved prior to November 22, 2008. Any annual leave in excess of 240 hours which is not used or donated to a participant in the Voluntary Leave Transfer Program by the end of the year is normally forfeited. It is important to remember that leave requests for one or more workdays must be documented using Office of Personnel Management Form-71 (OPM-71), "Request for Leave or Approved Absence," including having appropriate signatures and dates on the form.

Forfeited annual leave may be restored under the following conditions.

1. **Exigency of Public Business.** The two legislative requirements discussed below must be met to arrive at a positive determination that an exigency of the public business existed and caused forfeiture of leave. A "Request for Determination of Exigency of Public Business" form is attached and may be obtained electronically from the Human Resources Division (HRD) web site at: <http://www.oro.doe.gov/pmab/Forms/Exigency%20Determination%20Request.pdf>. Prior versions are obsolete and should not be used. **To receive consideration, the Request for Determination of Exigency of Public Business form must be submitted to the HRD for concurrence not later than January 16, 2009.**
 - a. The exigency must be of such importance as to preclude the use of scheduled leave. This determination must be made by the Manager, Oak Ridge Office (ORO). Principal Staff members are to use the form to request approval of any exigency. Each request should clearly state the beginning and ending dates of the proposed exigency and reasons why other alternatives cannot be used to prevent the forfeiture of leave.
 - b. The leave, which must be cancelled by the supervisor due to the exigency, must have been scheduled and approved by the supervisor (written documentation required) by November 22, 2008.
2. **Annual Leave Forfeited Due to Illness.** Annual leave that is forfeited because of illness may be restored if it was scheduled and approved by November 22, 2008, and if the illness occurred so late in the leave year, or is of such duration that the leave cannot be rescheduled within the leave year. Requests for restoration of annual leave forfeited due to illness should be directed by a

member of Principal Staff to the Manager, ORO. This request should include documentation of the period and amount of leave which was approved, scheduled, and subsequently cancelled due to illness as well as why other alternatives could not be used to prevent the forfeiture.

When an administrative error causes the loss of annual leave, the leave may be restored on a case-by-case basis depending on the circumstances involved.

If an exigency of the public business or illness is determined to have caused the forfeiture of leave, the forfeited leave is eligible to be restored. A "Request for Restoration of Leave" form is attached and may be obtained electronically from the HRD web site at: <http://www.oro.doe.gov/pmab/Forms/Leave%20Restoration%20Request.pdf>. Prior versions are obsolete and should not be used. The approved exigency determination, and its attachments, must accompany the restoration request. Questions regarding these requirements should be directed to your Human Resources Specialist.



Melanie M. Kent, Chief
Federal Human Resources Branch

Attachments

REQUEST FOR DETERMINATION OF EXIGENCY OF PUBLIC BUSINESS

This is to request that a determination be made that an exigency of the public business exists. The nature of the exigency is described in detail below and in attachments, if needed. Previously approved annual leave for the affected employee was cancelled for reasons stated below.

Employee Affected: _____ Social Security Number: _____

Organizational Unit: _____ Number of Hours Requested: _____

Beginning and Ending Dates of Exigency: _____

☐ *Copies of approved forms OPM-71, Request for Leave or Approved Absence, are attached to document that leave was scheduled before the beginning of the third pay period prior to the end of the leave year.*

What work prevented the employee from using previously approved leave: (Discussion must include specific work assignments and related dates and must specifically state why the work could not have been delayed.)

Reason previously approved leave could not have been rescheduled: (Discussion must cover the entire period between the time of the exigency and the end of the leave year. Reasons based on use of previously restored leave are insufficient.)

Recommended by: _____ Date: _____
(Division Director or Above)

Concur: _____ Date: _____
Chief, Federal Human Resources Branch

Approved: _____ Date: _____
Manager; Office, Site Office, or Director, OSTI

Forward approved forms to the ORO Federal Human Resources Branch , AD-442

Leave lost as a result of approved exigencies of the public business cannot be restored prior to the beginning of the next leave year. A Request for Restoration of Leave must be submitted by the requesting office in order to initiate the restoration process. Forms are available at <http://www.oro.doe.gov/pmab/forms>

REQUEST FOR RESTORATION OF LEAVE

An employee whose annual leave has been scheduled and approved by his/her supervisor in writing before the start of the third biweekly pay period prior to the end of the leave year is eligible to request restoration of leave forfeited due to a declaration of an exigency of the public business. **An approved Request for Determination of Exigency of the Public Business must be attached.** Forms are available at <http://www.oro.doc.gov/pmab/forms>

*I concur with this request for restoration of leave for (employee) _____
for _____ hours of leave based on a previously approved exigency of the public business.*

Concurrence: _____ Date: _____
Division Director/Office Head

This request for restoration of leave complies with applicable regulatory requirements.

Compliance Review: _____ Date: _____
Chief, Federal Human Resources Branch

I concur in this request for restoration of leave.

Concurrence: _____ Date: _____
Director, ORO Human Resources Division

Approval: _____ Date: _____
Assistant Manager for Administration, ORO
Manager, _____ Site Office
Associate Director for Administration and Information Services, OSTI

Forward approved forms to the Federal Human Resources Branch, AD-442

FOR INTERNAL USE ONLY

☐ *Copy to Originating Office* *Initials: _____ Date: _____*

☐ *Copy to Payroll* *Initials: _____ Date: _____*

☐ *Copy to Files* *Initials: _____ Date: _____*